IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7499 OF 2005

Ravindra Shankar Kumbhar Applicant

versus

The State of Maharashtra Respondent

V.V.Gangurde for applicant.

S.S.Tatkare, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 28th November 2005

PC :

1. The applicant has been arrested on 29th September 2005 by Charkop Police Station in CR No.135/2005. The allegations are that he has committed offence under sections 406, 467, 468, 471, 420 and 34 of IPC..

2. It is not disputed that the applicant is a delivery boy and employed in a company which is engaged in the business of delivering parcels and articles. In other words, the business is conducted as a Courier Agency. All that the applicant has done is delivered a packet on

behalf of complainant. The packet allegedly did not contain the article which was supposed to be delivered. The applicant was not at all involved in the other acts which are attributed to the persons arrayed as accused. There is no recovery from the applicant of any property. In fact, the articles including the Credit Card etc. have been recovered from the other accused. The applicant is 22 years old. He is in custody from 29th September 2005. He has no criminal antecedents. He is residing at the address mentioned in the cause title. In these circumstances, the applicant deserves to be enlarged on bail. Although investigations are in progress, this is a fit case where the applicant should be enlarged on bail. He is willing to co-operate and attend the Police Station. He is also willing to abide by other conditions imposed by this Court.

3. Accordingly, following order :-

(i) The applicant shall be enlarged on bail in connection with C.R.No.135/2005 registered with Charkop Police Station, Mumbai subject to furnishing a personal bond of Rs.5,000/- (Rs.Five thousand only) with a local solvent surety in the like sum;

(ii) The applicant shall attend the concerned Police Station on every Monday and Thursday between 10.00 a.m. to 12.00 a.m..

(iii) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.

(iv) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

(v) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial.

(vi) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)